



Private and Confidential

"Without Prejudice"

September 14, 2004

By Fax
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File No. T930619

Dear Mr. Stamper:

**Re: Canadian Transit Company and Detroit International Bridge Company Site
Plan Approval Application Dated June 22, 2004**

As you know, we are the solicitors for the City of Windsor concerning this matter.

City Council has now authorized us to provide you with an agreement to be entered into for processing of a revised Site Plan Application.

As you will appreciate, the June 22 application was not complete and could not be processed. If you wish to proceed, we suggest you sign the attached agreement and submit a complete application revised to reflect matters referenced in section 1 of the agreement.

In essence, the City wishes to ensure that by processing your application it is clear that doing so is not considered an endorsement by the City of your proposal to twin the existing bridge as proposed in the July 14, 2004 Preliminary Review Permit Application nor considered to be any acknowledgement or acquiescence by the City that you have a statutory or other right to build a second bridge from Windsor to Detroit. Other legal protections and assurances are required as stated in the agreement.

We believe this proposed agreement is a reasonable way of resolving what otherwise might be a protracted legal conflict concerning your alleged right to have site plan approval despite the Official Plan Policy and at the same time serves to ensure that the interests of the City with respect to your future intentions regarding a second span are not in any way prejudiced.

I will be out of the country September 9 – 17. If you wish to discuss this matter further with us in that period please contact my associate, Denise Baker in our Toronto office (416) 369-4622; her e-mail address is denise.baker@gowlings.com.

Yours sincerely,

GOWLING LAFLEUR HENDERSON LLP

David Estrin
Certified Environmental Law Specialist

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cc: George Wilkki, City Solicitor

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